

Amendment No. 1 to SB1853

Crowe  
Signature of Sponsor

**AMEND Senate Bill No. 1853\***

**House Bill No. 2171**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-51-105(a), is amended by adding the following as a new subdivision:

( ) For the profile of a holder of a certificate of fitness pursuant to § 63-7-123 or any physician assistant licensed under § 63-19-105, the name of the holder's or assistant's supervising physician;

SECTION 2. Tennessee Code Annotated, Section 63-51-115, is amended by deleting the section in its entirety and substituting instead:

Under the provisions of this chapter, the department of health only compiles information. The department shall not vouch for or assert the accuracy of any information it disseminates under this chapter. Before the department disseminates information to consumers under this chapter, the department shall permit each provider, hospital, or managed care organization, whose information is to be disseminated, the opportunity to review and correct any information the department proposes to disseminate. The department shall also allow a supervising physician at any time the opportunity to review, accept, and update the existence of a supervisory relationship between the physician and the holder of a certificate of fitness pursuant to § 63-7-123 or a physician assistant licensed under § 63-19-105. On or after January 1, 2015, the supervisory relationship contained in the controlled substance database, as established in title 53, chapter 10, part 3, shall be used by the department to update provider profiles which have been established pursuant to this chapter. The department shall not be

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subject to any suit for damages concerning any information that the department disseminates that a provider, hospital, managed care organization, or supervisory physician had the opportunity to correct, but did not correct. Nothing contained in this section shall repeal or override the confidentiality provisions contained in title 53, chapter 10, part 3, except to the extent that the department uses the information to update the existence of a supervisory relationship between a physician and a holder of a certificate of fitness pursuant to § 63-7-123 or a physician assistant licensed under § 63-19-105.

SECTION 3. Tennessee Code Annotated, Section 63-51-117(d), is amended by deleting the subsection in its entirety and substituting instead:

(d) Each provider who has submitted information pursuant to this chapter must update that information in writing or online by notifying the department within thirty (30) days after the occurrence of an event or the attainment of a status that is required to be reported. With respect to updated information required to be submitted pursuant to § 63-51-105(a)(5)(A), the department shall accept information updating a profile as it relates only to a physician licensed pursuant to chapter 6 or 9 of this title if the information is received within thirty (30) days of final payment in writing or online from either the provider or the provider's health care liability carrier and the carrier attests, in writing to the department, that it is the provider's health care liability carrier that has made the payment and that the carrier has confirmed in writing or online to the provider that the information has been reported to the department for purposes of updating the provider's profile.

SECTION 4. This act shall take effect on January 1, 2015, the public welfare requiring it.